

REMARKS/ARGUMENTS

In the Office Action of May 20, 2003, claims 1 and 3-11 were finally rejected under 35 USC 103. In view of the amendments above, and the remarks below, reexamination and reconsideration is respectfully requested.

Claim 1 has been amended to recite that the following steps of the present invention are **followed in sequence**: providing buffer material in the recess and overfilling said recess and allowing said buffer material to harden so as to provide a bead of buffer material on the peripheral mating edge of the first trim part; allowing the bead to mechanically connect to the first trim part by hardening of the buffer material within the recess; and supporting the first and second trim parts adjacent one another with the second trim part contacting the bead of buffer material such that the bead is compressed between the first and second trim parts wherein the buffer material does not adhere to the second trim part.

Support for the underlined feature of allowing the buffer to harden can be found, e.g., at page 11, line 11 through page 12, line 17. In addition, the claim now emphasizes again that the buffer material does **not** adhere to the second trim part since it is in a hardened state when the second trim part contacts the buffer material. No new matter is believed entered by said amendment.

Claims 1 and 3-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art Nagao (United States Patent No. 3,635,117) in view of Reid (United States Patent No. 5,810,406).

Nagao is directed at a ring fixing structure for a woodwind musical instrument comprising an elongated hollow body **2** having a groove **9** formed around the circumference of the end portion thereof, a ring **7** fitted around the end portion of the

hollow body and having a groove **10** formed around the inside portion of said ring, both of the grooves facing each other, and an **adhesive 11** of hot melt type inserted in and solidified in said **groove** so as to **securely fix** said ring to said hollow body (claim 1). Column 2, line 31 recites “the ring **7** and body **2** are fixedly adhered”. Examining FIG. 2 of the ‘117 reference, it is clear that there is no interlocking of the barrel **2** and upper joint **3**, thus the **hot melt adhesive must adhere to both hollow bodies and the ring**. Thus, the reference describes a means for **adhering** parts together (see Abstract).

Reid (United States Patent No. 5,810,406) is directed at a molding comprising a first layer including a surface having a plurality of lugs and recesses and a second layer extruded in association with the first layer and generally **forming an adhesive bond between said layers**.

In contrast, the present invention is directed at providing a first and second trim part that are not **adhered to one another**, forming a recess in an edge of the first part, overfilling the recess with buffer material to form a bead, allowing the bead to harden and **mechanically** connect to the first part, and allowing the second trim part to contact and **compress** the buffer material, wherein the buffer material does not adhere to the second trim part.

The present invention uses a **hardened buffer material** rather than an **adhesive** as in the cited references to reduce relative movement and absorb vibrations which could cause unwanted noise. Thus, the choice of elastomers as the buffer material as they are not necessarily good adhesives (e.g. TPO’s) but they absorb vibration and compress to reduce relative movement between surfaces or edges (See page 9 lines 5 – 10.) It is preferred in the present invention **not** to secure the first trim part and second trim parts together, as an adhesive would, because that could make the parts difficult to disassemble to service any functional parts that they may cover. In fact, the application teaches away

from using an adhesive (See page 2, lines 5-14).

Neither of the cited references, taken alone or in combination, teach or suggest a first part having a recess which is filled with a buffer material and an adjacent second part which contacts and compresses the buffer material, yet does not adhere to it. Both cited references **claim and definitively rely upon adhesion**.

In Nagao, the hot melt **adheres** to the ring and hollow bodies. In Reid the second layer is adhered to the first layer. The applicant's present invention is **not directed at attaching two parts together** as in Nagao (ring, barrel and upper joint) or Reid (first layer and second layer) but is directed at reducing relative movement (and therefore, noise) between adjacent trim panels.

Claim 8 has been amended to recite that the forming tool is moved along the **edge** rather than the surface of the first trim part (see page 8, lines 16-19 for support).

Claim 9 has been amended in a manner similar to claim 8 and to remove the incorrectly placed word "and".

Applicant also notes that in the Final Rejection mailed May 20, 2003 the Examiner, at page 5, reviewed Applicants' previous arguments for patentability. In so doing, the Examiner stated as follows:

"Further, it is well-known in the molding art to apply a buffer material to a first trim that surrounds the second trim and then assembling the trim parts. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to choose the first trim part of the admitted prior art to be the trim part that surrounds the second trim part thereby facilitating the mating and bonding of the trim parts of the admitted prior art (modified)."

Applicants respectfully notes that the present invention does **not** read on the mating and bonding of trim parts. Indeed, the present invention is the opposite: it does not bond together trim parts at all. It simply locates a second trim part against a non-adhering buffer material to reduce relative movement and avoid noise. And as noted

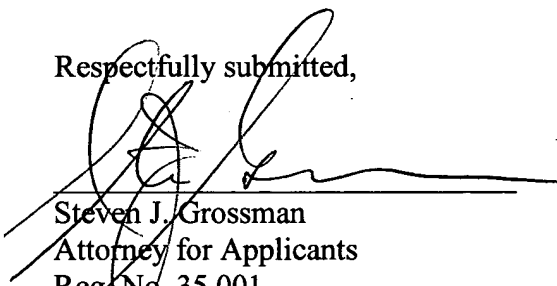
above, by avoiding the use of an adhesive connection, the trim parts can be readily serviced.

In view of the above, it is respectfully submitted that claims 1, and 3-11 are in condition for allowance. The combine teachings of the art do not suggest the present invention as amended herein to those of ordinary skill in the art. As noted above, the combined teachings actually teach away from the present invention. Allowance at an early date is therefore respectfully submitted.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 20, 2003, at Manchester New Hampshire.

By: Carol McClelland